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PTOL-37 (Rev. 7-05) (2)
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Notice of Allowability	Application No.	Applicant(s)	
	10/500,034	FUKUNAGA ET AL.	
	Examiner	Art Unit	
	Elias Desta	2857	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--
All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.


1. ☒ This communication is responsive to amendment filed on November 15, 2005.
2. ☒ The allowed claim(s) is/are 1,3-8,10 and 13-15.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| <ol style="list-style-type: none">1. <input type="checkbox"/> Notice of References Cited (PTO-892)2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none">5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance9. <input type="checkbox"/> Other _____ |
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PATRICK ASSOULINE
PRIMARY EXAMINER

Detailed Action

Response to Argument

1. Applicant's amendment (see amendment filed on November 15, 2005), with respect to claims 1-14 has been fully considered and is persuasive. The rejection of claims 1-14 has been withdrawn. The Examiner acknowledges the cancellation of claims 2, 9, 11 and 12, and the newly added claim 15.

The Examiner accepts the amendment to the specification and abstract. After further consideration, the objection to the drawing has been withdrawn.

Allowance

2. Claims 1, 3-8, 10, 13, 14 and 15 are allowed. The following is an examiner's statement of reasons for allowance:

In reference to claims 1, 13 and 15: either EPA-Method 9014 (EPA — Publication Manual, 'Titrimetric and Manual Spectrophotometer Determining Method for Cyanide') or Khan et al. (Analytical Science, 'Determination of Trace — Amounts of Copper (II) by using Catalytic Redox [Reduction Oxidation] Reaction between Methylene Blue and Ascorbic Acid') does not teach that the specific calibration curve comprises a higher concentration portion for a concentration range higher than an intersection concentration which corresponds to an intersection of the

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first calibration curve and the second calibration curve, and a lower concentration portion for a concentration range lower than the intersection concentration.

Further the claimed invention includes a higher concentration portion comprising a portion of a second calibration portion of second calibration curve for a concentration range higher than the interaction concentration and the lower concentration portion comprising a portion of the first calibration curve for a concentration range lower than the intersection concentration.

The remaining claims 3-8, 10 and 14 are dependent upon claims 1 and 13 and contain further limitations.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elias Desta whose telephone number is (571)-272-2214. The examiner can normally be reached on M-Th (8:30-7:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc S. Hoff can be reached on (571)-272-2216. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Elias Desta
Examiner
Art Unit 2857

e.d

January 9, 2006


PATRICK ASSOULINE
PRIMARY EXAMINER